

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SOCIETE DES BAINS DE MER ET DU :
CERCLE DES ETRANGERS A :
MONACO, :

Plaintiff, :

vs. :

PLAYSHARE PLC, GRAND :
MONACO LTD., GAMSHARE (UK) :
LTD., LUCAN TOH, MAXWELL :
WRIGHT, HILSTEAD LTD., :

Defendants.

Case No. 07 Civ. 4802 (DAB) (RLE)

AFFIDAVIT OF SHAWN LEONARDI

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STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

SHAWN LEONARDI, being duly sworn, deposes and says:

1. I am currently a Senior Associate at Duff & Phelps LLC ("D&P"), an investigative firm, where I have been employed since May 2005. Quinn Emanuel Urquhart Oliver & Hedges, LLP has retained D&P in connection with the above-referenced proceeding. I work at D&P's New York office, which is located at 55 East 52nd Street, 31st Floor, New York, New York 10055. I am also a New York City resident. I have knowledge of the matters set forth herein and could testify competently to these matters if called as a witness.

2. I have visited Defendants' Grand Monaco Casino website, an online casino, located at www.grandmonacocasino.com. In order to gamble on the Grand Monaco Casino website, one must download and install the Grand Monaco Casino software. Once the software has been downloaded and installed, the user must open an account. The user is given the option

of opening a Real Account or a Guest Account. A Real Account allows the user to gamble using real money, where a Guest Account allows the user to gamble for free using virtual credits.

3. During the account registration process, it is necessary to provide personal details and contact information, including the user's name, date of birth, email address, and home address. A user also has the option of providing home and mobile telephone numbers during registration. After this information is provided, the user is directed to enter and confirm a password. Once these details are provided, the registration process is complete and the user receives a login name.

4. From within New York, I downloaded and installed the Grand Monaco Casino software onto my computer at D&P. D&P's internet connection and server are based in New York. Once the download and installation of the Grand Monaco Casino software were complete, I opened a Real Account from my New York location. To do so, I was required to provide the Grand Monaco Casino with my first and last name, date of birth, email address, and delivery address. I had the option of providing my home, work, and cell telephone numbers as well. I obtained the email address that I provided to the Grand Monaco Casino from Hotmail.com, using my New York residential information. Because the Grand Monaco Casino does not directly permit registration of a Real Account using a New York delivery address, I simply entered 1600 Pennsylvania Avenue, Washington D.C. as my address. Shortly after entering and confirming a password, I was alerted that my registration was successful and was given a login name, Vgmr00551816. My registration was successful even though the delivery address I provided, the address of the White House, (1) is not my actual address, (2) conflicts with the other information I provided, and (3) is not associated with any of my bank accounts or credit cards. I was also presented with deposit options through which I could deposit money into my Grand Monaco

Casino account for the purpose of gambling on the website. True and correct copies of screenshots taken during the registration of my Real Account are attached hereto as Exhibit A.

5. After successfully registering, I emailed Customer Support at accounts@grandmonacosupport.com and asked how to deposit money into my account. I received the following response by email, dated August 2, 2007: "Purchasing and withdrawing at our casino has become a bit more challenging since the passing of the Port Bill. . . . Kindly note that the only reliable options for our US market at present is Quick Tender (see www.quicktender.com) and Prepaid VISA cards (e.g. NETspend or AllaccessGift cards)." A true and correct copy of this email correspondence is attached hereto as Exhibit B. Grand Monaco Casino's Customer Support provided further direction as to how to deposit funds into my account through live chat. In that conversation, I asked the Grand Monaco Casino representative how to transfer funds deposited to Quick Tender to my Grand Monaco Casino account, and the Grand Monaco Casino representative responded: "Like EcoCard or any other webwallet. The option should be available in the banking menu." A true and correct copy of the transcript from live chat is attached hereto as Exhibit C.

6. From within New York, I was also able to open a Guest Account with the Grand Monaco Casino. I provided a New York City address when opening this account. I also supplied the Grand Monaco Casino with my date of birth and email address. After choosing a password and confirming that I was of legal age to gamble, I was informed that my registration was successful and was given a login name, Fgmg00560650. True and correct copies of screenshots taken during registration of my Guest Account (except for my New York home address, which has been redacted) are attached hereto as Exhibit D. After opening my Guest Account, I was able to log on to the Grand Monaco Casino website using my login name and password and

gamble in “Guest User Mode.” At login, Guest Users are reminded that they are playing with play money and are asked if they would prefer to play with real money. A user playing in Guest User Mode also has the option to access a real account by clicking on the “Play For Real” link located at the top left of the screen. True and correct copies of screen shots reflecting login and gambling in Guest User Mode are attached hereto as Exhibit E.

7. The Grand Monaco Casino apparently provides email addresses, live help, and toll-free telephone numbers for users throughout the United States, including the State of New York, to contact customer support. According to the Grand Monaco Casino, all three means of communication are available to customers twenty-four hours a day, seven days a week. As discussed above, on August 2, 2007, I sent an email from within New York to accounts@grandmonacosupport.com, to inquire about depositing funds into my Real Account and received a response communicated to me within New York that same day. The email message also provided toll-free telephone numbers that I could call for further assistance. I also communicated, from within New York, with the Grand Monaco Casino customer support via the live chat feature. Through live chat, I was able to submit a question, which was answered by a Grand Monaco Casino representative almost immediately. I also communicated, from within New York, with a customer service representative by calling the toll-free telephone number for the United States provided on the Grand Monaco Casino’s “Contact Us” page.

8. From within New York, I also registered as an affiliate for both the PlayShare Affiliates and G3 Partner affiliate programs. In registering for both PlayShare Affiliates and G3 Partner, as was the case for registering to gamble on the Grand Monaco Casino, I was required to provide my personal and contact information, including my full name, date of birth, email address, and physical address. I was also asked to select a payment type and provide a physical

address to receive such payments. I provided a New York City address when applying for both PlayShare Affiliates and G3 Partner. True and correct copies of my account details for both affiliate programs (except for my New York home address, which has been redacted) are attached hereto as Exhibit F.

9. After applying for PlayShare Affiliates, I was notified via email, communicated to me in New York on August 2, 2007, that my application was being reviewed for approval. That email was sent from "PlayShare Affiliates," whose email address is listed as "affiliates@playshare.com." I was encouraged to visit PlayShare Affiliates' Promotions Page to learn about the latest competitions in anticipation of my approval. A true and correct copy of this email is attached hereto as Exhibit G. I received a second email, communicated to me in New York from PlayShare Affiliates that same day, informing me that I had been approved as a PlayShare Affiliate. In that email, PlayShare Affiliates explained that it assesses all of its "potential affiliates as thoroughly as [they] possibly can" before approval. This representation that PlayShare has a real quality control program for affiliates, which representation obviously is made to applicants such as myself who are residents of New York, is puzzling, as I provided only basic information about myself and have no particular experience in the online gaming industry. I was further informed here in New York that PlayShare's affiliate assessment process was beneficial to me, "as [I] can now confidently market [their] products with the knowledge that [my] marketing methods have been deemed well-suited to generating revenue from the online gaming industry." I was provided with directions to set my password and verify my account details. The email also explained that after logging in, clicking on the PlayShare Affiliates' Marketing tab would enable me here in New York "to download banners, mailers and other interactive marketing materials designed specifically to convert [my] traffic quickly and

effectively.” Finally, the email provided me with an email address for Lawrence Wilson, lawrence.wilson@playshare.com, my dedicated affiliate manager. A true and correct copy of the approval email I received from PlayShare Affiliates is attached hereto as Exhibit H.

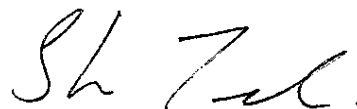
10. Similar to the process just described for the PlayShare Affiliates, G3 Partner contacted me here in New York via email on August 2, 2007, from an address listed as support@g3partner.com to inform me that my application was being reviewed for approval. The content of this email, a true and correct copy of which is attached hereto as Exhibit I, was virtually identical to the one I received from PlayShare Affiliates. I received a second email from support@g3partner.com the next morning, informing me that I had been approved as an affiliate. The email stated: “Our goal now is to assist you in earning a handsome income off www.GrandMonaco.com, and to build a strong player base from which to earn revenue share for years to come.” Quite obviously, Defendants represent that they give New Yorkers the opportunity to earn “a handsome income off www.GrandMonaco.com.” The email provided a link through which I could verify my account details and choose a password, an affiliate tag number, and referral links for the Grand Monaco Casino in several countries, including the United States. I was also given the email address for my affiliate manager, Jon-Jon Keegan, and the link through which I could download banners, emails, and other interactive marketing material to promote the Grand Monaco Casino. A true and correct copy of the G3 Partner approval email is attached hereto as Exhibit J.

11. As an affiliate of both PlayShare Affiliates and G3 Partner here in New York, I am able to promote the following five websites: www.grandmonaco.com, www.deutschegrandmonaco.com, www.casinograndmonaco.com, www.pokershare.com, and

www.casinoshare.com. G3 Partner offers three revenue options and affiliates are paid on a monthly basis.

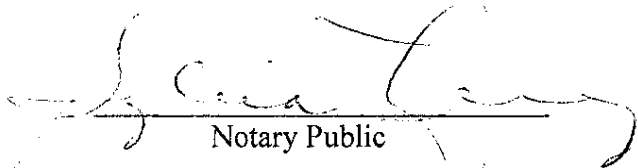
12. G3 Partner provides New York affiliates with a wide array of banners, emails, flash banners, reviews, text links, and link codes to promote the Grand Monaco Casino. By visiting the marketing tools section of the G3 Partner website, I had the option to download from New York approximately thirty different varieties of these marketing materials to assist me in promoting the Grand Monaco Casino. A true and correct copy of the search results for Grand Monaco Casino marketing material is attached hereto as Exhibit K.

13. Since becoming an affiliate in New York, I have received emails from PlayShare alerting me to new offers and promotions available on PlayShare's casino websites. For example, on August 3, 2007, I received an email from news@playshare.com announcing CasinoShare's launch of a new Welcome Bonus. The email provided a link through which I could access promotional details from New York and informed me that new banners were available to me in New York on the PlayShare Affiliates website. A true and correct copy of this email is attached hereto as Exhibit L.



Shawn Leonardi

Sworn to and subscribed
this 23 day of August, 2007.


Notary Public

Sylvia Leung 31-4785816
Notary Public, State of New York
Qualified in New York County
Commission Expires May 31, 2011